

IN THE MATTER OF SCOTT SHEARER Petitioner	: BEFORE THE : HOWARD COUNTY : BOARD OF APPEALS : HEARING EXAMINER : BA Case No. 14-010C&V
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DECISION AND ORDER

On September 11, 2014, the undersigned, serving as the Howard County Board of Appeals Hearing Examiner, and in accordance with the Hearing Examiner Rules of Procedure, heard the Conditional Use petition of Scott Shearer for a Museum of historic firefighting apparatus and farm equipment, and Variance petitions for 1) a variance from the Zoning Regulations (ZR) setback for animal shelters, and 2) three variances from the side lot line structure setback, in an RR-DEO (Rural Residential: Density Exchange Option) Zoning District, filed pursuant to §§ 131.0.N.36 and 131.0.B.2 of the Howard County Zoning Regulations (ZR).

Petitioner certified to compliance with Howard County Code hearing notice and advertising compliance. The Hearing Examiner viewed the property as required by the Hearing Examiner Rules of Procedure.

Petitioner was not represented by counsel. Najid Roshan, Bernard Punte, Earl Lauer, Ann Dristaldi, Peter Floyd, Maureen Wilson, William Welsh, Fred Dorsey, Stuart Kohn, Aurora Abiles, Georgianna Meagher, Mike Delore, Gregory Shearer, David North, and Bankaj Batel testified in support of the petition. Daniel O’Leary also testified in support, individually and as the authorized representative of the Greater Highlands Crossroads Association. No one testified in opposition to the petition.

The Petitioner introduced into evidence the following documents:

1. Revised Conditional Use Plan depicting Museum parking area (slide no. M02R)
2. Hard copy and CD containing before/after photographs of property, building heights, animals, structures, Museum structure area, Museum parking
3. August 10, 2014 letter from Greater Highlands Crossroads Association authorizing Daniel O'Leary to represent the Association

A Preliminary Matter

At the outset of the hearing, the Petitioner introduced into evidence an amendment to the Conditional Use Plan (CUP) (Petitioner Exhibit 1). Petitioner Exhibit 1, the Rainy Day Parking Plan (discussed more fully in Finding Nos. 9 & 10 below) depicts additional hard surface parking spaces adjacent to or near an 11,817sf, paved outdoor, public viewing display area.

Hearing Examiner Rule 9.4 requires a Petitioner who proposes an amendment during the course of the proceedings to submit the amendment as an exhibit. The Hearing Examiner determined the amendment was not substantive within the meaning of Hearing Examiner Rule 9.5 because it is intended to respond to a Technical Staff Report (TSR) request to depict the location of overflow parking and therefore could be admitted as evidence during the hearing.

FINDINGS OF FACT

1. Property Identification. The subject property is located in the 5th Election District northeast of the intersection of Highland Road and Mink Hollow Road. The property is referenced as Tax Map 34, Grid 15, Parcel 170 and known as 13288 Highland Road (the Property).

2. Property Description. The Property was once part of a 100+-acre dairy farm apparently established in the 1940s and largely developed in the 1970s as Allnutt Farms

Estates. The remainder 14.143-acre, irregularly shaped Property contains the original farmhouse, dairy and accessory buildings. The Property has about 320 feet of road frontage. About 275 feet eastward of the front lot line, the Property narrows in width and then broadens again in the rear section, for a total depth of about 1,700 feet. Streams, wetlands, and associated buffers dominate the back section.

The Property is improved with several buildings of varying sizes, all of which are located in the front half of the Property. A one-story, 3,457sf residential structure sits about 210 feet from the front property line (Highland Road). The residence is not part of the proposed Conditional Use site. To the residence's southeast is a 4,115sf, one-story block and frame garage used in part for antique farm and firefighting equipment storage and maintenance (the Garage). In the Property's front, northeasterly section is a long, 9,388sf block and frame building also used in part for antique farm and firefighting equipment storage and maintenance (the Long Building). To the Long Building's north is a 1,650sf pole barn/shed (the Barn). The Barn sits 23.5 feet from the northerly side lot line and about 70 feet from the nearest residential structure (the garage section) on adjoining Lot 22 of the Allnutt Farms Estates subdivision. According to the CUP and petition, the Barn is in agricultural use (animal housing, farm equipment storage, feed & tack).

Access to Highland Road is provided by two driveways running along each side of the residence and leading to a concrete pad behind the residence and a larger asphalt paved area between the Long Building and Garage. The TSR provides a detailed description of Property topography. The average slope from the rear of the residence and the eastern edge of the

paved parking area is three percent. About 180 feet beyond the paved area, the grade steepens to about an 8 percent downward slope.

3. Vicinal Properties. Adjacent properties are zoned RR-DEO. To the north is Section 1 of the Allnutt Farms Estates subdivision, recorded as Final Plat 3725 in 1977. Allnutt Farms Estates Section 1, Lots 22, 23 and 29 abut the site's northwesterly lot line and are each improved with a single-family detached dwelling. Lot 23 fronts Highland Road. Lot 22 is the property closest to the proposed Museum use and the dwelling sits about 50 feet from the northerly common lot line with the Property. Lots 22 and 29 front on Good Times Court. Abutting part of the southwesterly property line is Parcel 229, a 1.06+-acre parcel improved with a single-family detached dwelling fronting on Highland Road. To the south is Section 3 of the Allnutt Farms Estates subdivision, recorded with Final Plat 3884 in October 1977. Each lot is improved with a single-family detached dwelling. Lot 1 fronts on Highland Road. Lots 2-7 front on Styer Court.

4. Roads. Highland Road has two travel lanes and about 25 feet of paving within an ultimate 60-foot right-of-way. The posted speed is 35 MPH. The TSR concludes visibility from the existing driveways is acceptable with estimated sight distances of about 300 feet to the north and about 500 feet to the south.

5. Water and Sewer. The Property is served by private well and septic.

6. General Plan. PlanHOWARD 2030 depicts the Property as a "Rural Residential Area." The Functional Road Classification Map depicts Highland Road as a Major Collector.

7. Variance Requests. Petitioner is requesting four variances.

- #1. Variance for the Barn. ZR § 128.0.A.4 (Supplementary Regulations) requires animal shelters larger than 500 square feet to be located a minimum of 200 feet from any existing dwelling on a different lot. Because the Barn is in agriculture use and located about 70 feet the nearest residential structure on an adjoining lot (Lot 22 of the Allnutt Farms Estates subdivision, Section 1), Petitioner is requesting a reduction in the 200-foot setback to 70 feet.
- #2. Variance for the Barn. ZR § 105.E.4.a.(3)(c)(1) imposes a 30-foot side lot line setback for accessory structures. Because the Barn sits 23.5 feet from a side lot line, Petitioner is requesting a reduction in the 30-foot setback to 23.5 feet.
- # 3 and 4. Variances for the Garage. ZR § 105.E.4.a.(3)(c)(1) imposes a 30-foot side lot line setback for accessory structures. Because the Garage sits 28.5 feet from the westerly side lot line and 17.5 feet from the southwesterly side lot line, Petitioner requesting a reduction in the 30-foot setback to 28.5 feet and 17.5 feet.¹

In support of all four variances, the petition states the outbuildings need to be accessible because Mrs. Shearer has multiple sclerosis and requires a wheelchair for mobility. For this reason, the outbuildings must be located on relatively level ground and be connected by a hardened surface. Without these conditions, Mrs. Shearer is unable to make reasonable use of the Property. The petition states the primary section dates from 1954. Petitioner purchased the Property in 2010.

8. The Requested Conditional Use. Petitioner seeks Conditional Use approval to use portions of the Garage and Long Building as a Museum. The Museum will function as storage and maintenance areas for antique farming and firefighting equipment. PE 2, MO3 depicts the areas of the buildings proposed for the Museum use. The total area of the Barn, the Long Building and the Garage is 15,153sf and the Museum use will comprise 5,736sf of this area, with

¹ The TSR notes Petitioner mistakenly requested a setback of 21.5 feet, as measured from another point of the Garage to the side lot line. TSR p.6 depicts the appropriate 28.5-foot variance request.

the remaining 9,417sf in farm use. One day a year, the first Saturday in October (Museum Day), between 10:00 a.m. and 6:00 p.m., the restored antique farming and firefighting equipment (the Museum Collection) will be displayed outside for public viewing in the 11,817sf paved area between the Long Building and the Garage (the Equipment Display and Public Viewing Area). Petitioner and his family will operate the Museum with no additional employees. Petitioner anticipates most Museum patrons will visit the Museum on Museum Day (which is also Highland Day, a community festival) via a shuttle service originating at the Historic Crossroads in Highland. Portable ADA compliant restrooms will be provided.

9. Najid Roshan, the surveyor who prepared the Conditional Use and Variance Plan testified about Museum Day parking. There are two plans.

- The Good Weather Parking Plan. As depicted in the CUP and PE Exhibit 1, MO2, motorists will enter the Property and park in the open, grass area in front of the residence, then walk up to the display area. Twelve parking spaces, including two accessible spaces, are depicted on two sides of the concrete pad behind the residence and adjacent to the outdoor display area.
- The Rainy Day Parking Plan. PE Exhibit 1, MO2R, the Amended Plan, depicts the same two accessible parking spaces and ten parking spaces on two sides of the concrete pad behind the residence and next to the outdoor display area. Several clusters of additional, unstriped spaces are also proposed; 6 spaces next to the Garage, 17 spaces on the east side of the Long Building and 4 spaces in front of the residence.

10. Najid Roshan testified to be the surveyor who prepared the Conditional Use and Variance Plans. Mr. Roshan further testified that the parking provided on site for Museum Day does not follow ZR Museum parking requirements, which are based on interior floor area, because on Museum Day, the Museum area is the outdoor showroom area, the 11,817sf proposed Equipment Display and Public Viewing Area depicted on the Amended Plan. Based on

this outdoor display area, 39 spaces are proposed. He does not believe the Rainy Day spaces should be marked.

11. Referring to PE 2, MO6, Mr. Roshan identified it as page 41 of PlanHOWARD 2030, specifically Policy 4.10, which calls for expanding existing programs to enhance historic preservation and the creation of an historic preservation plan, including submitting grant applications to the Maryland Historical Trust for museum collections. PE 2, E1-14 depicts the elevations of nonresidential accessory structures on the Property, all of which are less than the 25-foot maximum height imposed by ZR § 105.0.E.2.d. There are no sight distance problems at either driveway. As depicted in PE 1, the Amended CUP, on Museum Day visitors will be required to enter the Property from the driveway closest to Mink Hollow Road and to exit from the second driveway. In his opinion, the use will have no atypical adverse impact on vicinal properties because the outdoor Museum display area will be buffered by distance, the existing buildings and landscaping. On Museum Day, the property owner will manage traffic in and out of the Property.

12. Mr. Shearer testified the variances are the minimum necessary for his wife to make use of and enjoy the Property, especially the Barn, where the farm animals housed. The Buildings also need to be close to the residence because she is hypersensitive to cold and takes a very long time to warm up.

13. Adjoining and vicinal property owners Earl Lauer, Peter Floyd, Ann Dristaldi, William Welsh, Maureen Wilson, Georgianna Meagher and Bankaj Batel testified to the positive improvements on the Property, its cleanliness, the absence of noise and orders, to the aesthetic

qualities of the structures, to the marked improvement of the neighborhood since Mr. Shearer took over the Property, to Mr. Shearer being a protector of local Howard County history and to the positive presence of the animals on the farm. In their opinions, the combination of existing and proposed uses is ideal.

14. Fred Dorsey, president of Preservation Howard County, testified in support of the petitions because the proposed use will provide for the continuing restoration and preservation of firefighting and farming apparatus that would otherwise be lost. Mr. Shearer's dedication to this preservation and the Museum use are extremely important to the county.

15. Stuart Kohn, president of the Howard County Citizens Association, testified to the board's full support of the petitions.

16. Aurora Abiles testified to being the muralist who painted the mural on the barn, which depicts Hi-Land Farms as it appears today. She supports the petitions.

17. Mike Delore testified to there being no problem with the eastern access near Mink Hollow Road.

18. Gregory Shearer, Scott Shearer's father, testified to his son's deep interest in keeping and restoring historic fire equipment and to his son's ability to draw in friends. He will be a good steward of the farm.

CONCLUSIONS OF LAW

Based upon the foregoing testimony and Findings of Fact, the Hearing Examiner finds and concludes as follows:

I. Evaluation of the Requested Variances

The standards for variances are contained in § 130.0.B.2.a of the Regulations. Pursuant to this section, the Hearing Examiner may grant a variance only if the Petitioner demonstrates compliance with all four variance criteria. Based upon the foregoing Findings of Fact, and for the reasons stated below, the Hearing Examiner finds the requested variances comply with §§ 130.0.B.2.a.(1) through (4), and therefore may be granted.

(1) That there are unique physical conditions, including irregularity, narrowness or shallowness of the lot or shape, exceptional topography, or other existing features peculiar to the particular lot; and that as a result of such unique physical condition, practical difficulties or unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.

The first criterion for a variance is that there must be some unique physical condition of the property, e.g., irregularity of shape, narrowness, shallowness, or peculiar topography that results in a practical difficulty in complying with the particular bulk zoning regulation. This test involves a two-step process. First, there must be a finding that the property is unusual or different from the nature of the surrounding properties. Secondly, this unique condition must disproportionately impact the property such that a practical difficulty arises in complying with the bulk regulations. *Cromwell v. Ward*, 102 Md. App. 691, 651 A.2d 424 (1995). A “practical difficulty” is shown when the strict letter of the zoning regulation would “unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.” *Anderson v. Board of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28, 322 A.2d 220 (1974).

With respect to the first prong of the variance test, the Maryland courts have defined “uniqueness” thus.

In the zoning context, the 'unique' aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. 'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to characteristics as unusual architectural aspects and bearing or party walls. *North v. St. Mary's County*, 99 Md. App. 502, 514, 638 A.2d 1175 (1994).

In rare circumstances, and germane to this evaluation of the requested variances, the Maryland Courts have recognized physical "uniqueness" as having different attributes where there is a nexus between certain characteristics of a property and reasonable accommodation to the needs of a person with physical challenges. Thus, in *Mastandea v. North*, 361 Md. 107, 760 A.2d 677 (2000), the court in pertinent part upheld a county board of appeals decision granting a variance for a brick pathway to accommodate a child confined to a wheelchair, where the board determined a natural slope and clay soil were unique circumstances or conditions of the lot as it pertained to the child's ability to access the waterfront because these conditions allowed no access.

In this case, Mr. Shearer testified, and the TSR reasoned, that the uneven topography of the Property is a unique physical condition as it pertains to Mrs. Shearer, who requires a wheelchair for mobility and needs buildings located on relatively level ground connected by a hardened surface. For this reason, the Hearing Examiner concludes that all areas of the Property in uneven topography are a unique physical condition affecting the Property disproportionately and that this condition creates practical difficulties or unnecessary hardships in complying strictly with the bulk provisions of these regulations.

(2) That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

Because Mr. Shearer is seeking retroactive approval for four variances, their impact on the character of the neighborhood, on any impairment to the use or development of adjacent property and to the absence of detriment to the public welfare may be assessed through the testimony of adjoining and vicinal properties owners who have lived with the structures and uses. Every neighbor who testified spoke in rich terms about the enhancement of the neighborhood through the presence of the structures and related uses and to the total absence of any detrimental effect to their use and enjoyment of their property. The record is devoid of any evidence that the requested variances would alter the essential character of the neighborhood or district in which the lot is located, substantially impair the appropriate use or development of adjacent property or be detrimental to the public welfare.

(3) That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.

The Petitioner did not create the practical difficulties.

(4) That within the intent and purpose of these regulations, the variance, if granted, is the minimum necessary to afford relief.

The requested variances are intended to provide Mrs. Shearer with reasonable use of the Property. The Property is a large parcel with a substantial amount of uneven topography. The structures are necessarily located on the level part of the Property and in their specific locations so that they may be connected by a hardened surface, the only type of path that will

allow Mrs. Shearer access to the buildings, especially the Barn where the animals are kept. For these reasons, the requested variances are the minimum necessary to afford relief.

II. General Criteria for Conditional Uses (§ 131.0.B)

Zoning Regulations §§ 131.0.B.1-3 requires the Hearing Authority to evaluate a proposed Conditional Use through the application of three standards, harmony with the General Plan, overall intensity and scale of use, and adverse impacts.

A. Harmony and Intensity of Use

131.0.B.1. The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.

PlanHOWARD 2030, Policy 4.10 calls for expanding existing programs to enhance historic preservation, including submitting museum collection grant applications to the Maryland Historical Trust.

131.0.B.2. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.

The Museum Collection (historic farm and fire equipment) will be stored and maintained in a 5,736sf portion of the 15,153sf total, nonresidential building area. One day a year, the collection will be displayed outside in an asphalted 11,817sf area between the Long Building and the Garage. At its most intense use, the Museum area comprises 17,553sf with additional areas for parking, which is only a small portion of the 14.143-acre Property. The use will be low intensity. Traffic on Museum Day will be controlled, with access provided from a Major Collector.

B. Adverse Impacts

Unlike § 131.0.B.1, which concerns the proposed use's harmony or compatibility with the General Plan, or § 131.0.B.2, which concerns the on-site effects of the proposed use, compatibility of the proposed use with the neighborhood is measured under § 131.0.B.3's six off-site, "adverse effect" criteria": (a) physical conditions; (b) structures and landscaping; (c) parking areas and loading; (d) access; (e) environmentally sensitive areas; and (f) historic sites. The purpose of the adverse impact evaluation is to test whether the proposed use at the proposed location will generate *atypical* adverse effects on vicinal properties.

Inherent in the assessment of a proposed Conditional Use under these criteria is the recognition that virtually every human activity has the potential for adverse impact. The assessment therefore accepts some level of such impact in light of the beneficial purposes the zoning body has determined to be inherent in the use. Thus, the question in the matter before the Hearing Examiner is not whether the proposed use would have adverse effects in an RR district. The proper question is whether there are facts and circumstances showing the particular use proposed at the particular location would have any adverse effects above and beyond those inherently associated with such a special exception (conditional) use irrespective of its location within the zones. *People's Counsel for Baltimore County v. Loyola College in Maryland*, 406 Md. 54, 956 A.2d 166 (2008); *Schultz v. Pritts*, 291 Md. 1, 432 A.2d 1319 (1981); *Mossburg v. Montgomery County*, 107 Md. App. 1, 666 A.2d 1253 (1995).

For the reasons stated below, and as conditioned, Petitioner has met his burden of presenting sufficient evidence under § 131.0.B.3 of the Zoning Regulations to establish the

proposed use will not have atypical adverse effects on vicinal properties beyond those ordinarily associated with a Museum in an RR zoning district.

a. The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning districts.

The requested Museum use is primarily an indoor use. Once a year, the collection would be displayed outdoors. No additional lighting is proposed. There is no evidence of atypical noise, dust, odors, fumes, vibrations, hazards or other physical conditions. The petition complies with § 131.0.B.3.a.

b. The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.

As evaluated above, the evidence relating to the requested variances for the Barn and garage prove an absence of adverse impact. Because there is no adverse impact, the Hearing Examiner concludes their location generates no atypical adverse impact under this standard. No new fences or walls are proposed. All buildings meet the RR district height requirement and are less than 25 feet in height, per PE 2, E1-14. Existing buildings will screen and buffer the outdoor display of the Museum Collection on Museum Day. The petition complies with § 131.0.B.3.b.

c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.

The petition states most patrons will visit the Museum on Museum Day by a shuttle service originating at the Historic Crossroads in Highland. Petitioner is also proposing two parking plans, a Good Weather plan and a Rainy Day plan. For both plans, twelve paved parking spaces are proposed, including two accessible spaces. In good weather, overflow parking will be provided in the grass field in front of the residence. On rainy days, vehicles will be directed to park in one of the temporary spaces depicted on PE 1, M02R, the Amended Plan. Existing buildings and distance will buffer the parking use from adjacent properties. No loading or refuse area is proposed. The existing driveways appear to have adequate sight distance. The Good Weather parking area in front of the residence will be visible on Museum Day, but in the Hearing Examiner's view, this does not currently warrant additional landscaping. The petition accords with § 131.0.B.3.c.

d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.

Mr. Roshan testified to the safety of the proposed ingress and egress drives, which have adequate sight distance. Considering that the collections will be on display outdoors only one day a year and that most visitors will arrive by shuttle, acceleration and deceleration lanes are not required to channel traffic. The driveway is not shared with other properties. The petition complies with § 131.0.B.3.d.

e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

There is no evidence of vicinal environmentally sensitive areas. § 131.0.B.3.e is inapplicable.

f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

There is no evidence of vicinal historic sites. § 131.0.B.3.f is inapplicable.

III. Specific Criteria for Museums and Libraries (§ 131.0.N.36)

A Conditional Use may be granted in the RC and RR Districts, on properties that are not ALPP purchased or dedicated easement properties, and in the R-ED or R-20 Districts for museums, art galleries, and libraries, provided that a determination is made by the Hearing Authority that such use will not constitute a nuisance because of sidewalk or street traffic, noise or physical activity, and that such use will not tend to adversely affect the use and development of adjoining properties.

Based on the Findings of Facts and all Conclusions of Law, the Hearing Examiner concludes the Museum use will not constitute a nuisance because of sidewalk traffic or street traffic, noise or physical activity. Indeed, the evidence of record strongly indicates that the Museum use will add to adjoining neighbors' use and enjoyment of their properties. The Property is not ALPP purchased or subject to a dedicated easement.

ORDER

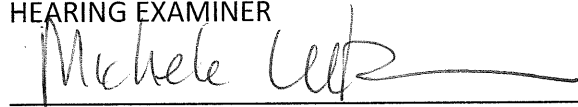
Based upon the foregoing, it is this **23rd day of September 2014** by the Howard County Board of Appeals Hearing Examiner, **ORDERED**:

That the Petitions of Scott Shearer for an historic firefighting apparatus and farm equipment Museum Conditional Use, a Variance from the supplementary Zoning Regulations setback for animal shelters and three Variances from the side lot line structure setback, in an RR-DEO (Rural Residential-Density Exchange Option) Zoning District are hereby **GRANTED**;

Provided, however, that:

1. The Conditional Use shall be conducted in conformance with and shall apply only to the 9,388sf and 4,115sf buildings described in the petition and depicted on the Conditional Use Plan submitted on June 25, 2014, as amended by PE 1 (the Rainy Day Parking Plan), and not to any new structures or uses on the Property.
2. The Variances shall apply only to the 4,155sf and 1,650sf buildings described in the petition and depicted on the plan submitted on June 25, 2014 and not to any new structures or uses on the Property.

HOWARD COUNTY BOARD OF APPEALS
HEARING EXAMINER



Michele L. LeFaivre

Date Mailed: 9/23/14

Notice: A person aggrieved by this decision may appeal it to the Howard County Board of Appeals within 30 calendar days of the issuance of the decision. An appeal must be submitted to the Department of Planning and Zoning on a form provided by the Department. At the time the appeal petition is filed, the person filing the appeal must pay the appeal fees in accordance with the current schedule of fees. The appeal will be heard de novo by the Board. The person filing the appeal will bear the expense of providing notice and advertising the hearing.